

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **VICE CHAIRMAN DAN MCGEE**, on February 5, 1999
at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Dan McGee, Vice Chairman (R)

Rep. Paul Clark (D)

Rep. Loren Soft (R)

Members Excused: None.

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 243 and HB 366, 2/5/1999
Executive Action:

Rep. McGee called the meeting to order with Rep. P. Clark, L.
Soft present. John McMaster, Legislative Staff and Joanne
Gunderson, Secretary were also present. Present from the Dept.
of Public Health and Human Services were: Ann Gilkey, Shirley
Brown, Chuck Hunter and Sherry Meadow.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 23}

Sub Committee Action on HB 243 and HB 366

Motion/Vote: REP. CLARK moved HB 366 STRIKE-"OR IS RECEIVING"
FROM PAGE 5 LINE 17. Motion carried unanimously.

{Tape : 1; Side : A; Approx. Time Counter : 23 - 39}

Motion: REP. CLARK moved HB 366-STRIKE " SUBSTANTIAL " REPLACE WITH "REASONABLE RISK" PAGE 3 LINE 7. MOTION FAILED.

{Tape : 1; Side : A; Approx. Time Counter : 39 - 94}

Motion: REP. MCGEE moved HB 366-UNDERLINED LANGUAGE IN HB 243 MOVE INTO HB 366.

{Tape : 1; Side : A; Approx. Time Counter : 94 - 204}

Discussion: Between Rep. Soft and P. Clark. MacMaster felt this subject was provided for in HB 243.

{Tape : 1; Side : A; Approx. Time Counter : 204 - 230}

Motion/Vote: REP. CLARK moved HB 366-LINE 9 PAGE 7 TO ADD "AUDIO TAPE". Motion carried unanimously.

Discussion: returned to discussion regarding "underlined language". **Motion/Vote:** REP. CLARK moved HB 366 INSERT LINE 9 PAGE 8 HB 2433, LINES 7-10 MOVED TO HB 366. Motion carried unanimously.

{Tape : 1; Side : A; Approx. Time Counter : 230 - 384}

Motion: REP. MCGEE moved HB 366-LAST SENTENCE IN SUB SECTION HB 243.

{Tape : 1; Side : A; Approx. Time Counter : 384 - 471}

Discussion: Chuck Hunter, Ann Gilkey and Sherry Veadar discussed use of video/audio tapes.

Motion/Vote: REP. SOFT moved HB 366-DROP LANGUAGE IN LINES 11-12. Motion failed 1-2.

Motion: REP. MCGEE moved HB 366-ADD TO LINES 17--18 OF HB 243; 5 AND 7A..

{Tape : 1; Side : B; Approx. Time Counter : 0 - 471}

Discussion: Rep. McGee and P. Clark discuss under what authority does Dept. now have to remove a child? Amendment does not change protective services aspect. Rep. P. Clark question to S. Brown; reasonable cause to suspect.

Motion/Vote: REP. CLARK moved HB 366-MAKES NEW SECTION IN HB 366 INCLUDE LINE 16 PAGE 9. Motion carried unanimously.

{Tape : 1; Side : B; Approx. Time Counter : 471 - 550}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 419}

Motion: REP. CLARK moved HB 366-ADD "COPIES OF" LINES 20 & 21 IN HB 243 AT BEGINNING AND ADD "AS PROVIDED BY LAW"..

Discussion: Rep. P. Clark continued to discuss and eventually changed his amendment. **Motion/Vote:** REP. CLARK moved HB 366-"MUST BE PROVIDED". Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 419 - 550}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 37}

Meeting adjourned.

ADJOURNMENT

Adjournment: 10:00 A.M.

Vice Chairman Dan McGee, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh29aad)